



Serial No.: 09/000,924

Docket No.: 1083.1048

#22
6/8/04
JDO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Takayuki HASEBE et al.

Serial No. 09/000,924

Group Art Unit: 3625

Confirmation No. 5955

Filed: December 30, 1997

Examiner: Nguyen, C.

For: DATA PROTECTION SYSTEM, DATA PREPARATION DEVICE, AND DATA WORKING
DEVICE

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

The Examiner provided a Statement of Reasons for Allowance (Statement) as part of Paper No. 21 (Notice of Allowance And Fee(s) Due), mailed November 7, 2003. In the Statement, the Examiner relies only on excerpts from claim 23 regarding allowability, and also indicates that independent claims 1, 4, 9, 12, 15, 18, and 22-23 are patentably distinguishing over the closest previously relied upon prior art.

MPEP 1302.14 states in part:


Where specific reasons are recorded by the examiner, care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

For example, the Examiner appears to suggest that other independent claims 4, 9, 12, 15, and 18, are allowable for the same features recited in claim 23, even though the independent claims 4, 9, 12, 15, and 18 recite other patentably distinguishing features. The Applicants assert that the independent claims 4, 9, 12, 15, and 18 speak for themselves as to what other patentably distinguishing features are included therein and are their own best evidence as to the reasons for allowance of same.

It is submitted that the Examiner's Statement does not meet the standards of MPEP 1302.14 and, instead, raises "possible misinterpretations... and possible estoppel effects" (MPEP 1302.14) and, accordingly, should be disregarded regarding the aforementioned.

Respectfully submitted,
STAAS & HALSEY LLP

Date: 2/6/2004

By: 
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**LETTER TO THE EXAMINER SUBMITTING
CORRECTED AND/OR FORMAL DRAWINGS**

Mail Stop ISSUE FEE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

ATTENTION: OFFICIAL DRAFTSPERSON

Sir:

Applicants hereby submit one sheet of formal drawings (FIG. 9) for the proposed drawing corrections filed on December 4, 2000, which the Examiner should have approved, for filing in the subject application.

It is respectfully requested that the corrected and/or formal drawings filed herewith be entered in the above-referenced application.

Respectfully submitted,
STAAS & HALSEY LLP

Date: 2/6/2004

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